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REMARKS

Claims 8-19 and 21 have been rejected by the Examiner for being anticipated by U.S. patent 2,968,211 to Douglas.

The Applicant hereby submits that the 35 USC §102 rejection is defective and requests that it be withdrawn.

The single prior art reference does not disclose every limitation in claim 8. In accordance with MPEP §2131:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). ... "The identical invention must be shown in as complete detail as contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F. 2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

Contrary to the examiner's position that all elements are disclosed in the Douglas reference, "applying a varying degree of focus to a plurality of objects in said image as a function of a degree of focus of each of said objects for an intended distance between each of said objects and said subject" is not.

The Examiner states in his action that Douglas discloses projecting the image to represent it's true aspect and suitable to be employed as a scenic background (col. 1, lines 15-20), and changing the distance between the projector and the screen (col. 5, line 74 – col. 6 line 2). The Examiner then states that these passages would suggest to one skilled in the art that the focus of the image on the rear projection screen is variable, which would allow for controlling a depth of field of the filmed scene. This very statement is evidence that the limitation from claim 8 is neither expressly or inherently described in the single

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piece of prior art that is Douglas. As previously put forth by the Applicant, Douglas does not address the problem of controlling the depth of field when filming a movie scene. Therefore, a solution for this problem cannot be inherent in the description. For something to be inherent it must exist as an essential constituent or characteristic. This is clearly not the case.

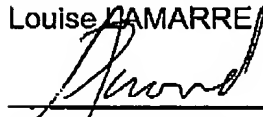
In addition, given that the original filing date of the Douglas reference is 1951, the Applicant hereby submits that the Examiner is exhibiting tremendous hindsight in determining what was inherent to the description at the time of filing.

In view of the above, the Applicant respectfully submits that the 35 USC §102 rejection is improper for want of support and requests that it be withdrawn.

The Applicant believes the present application to be in a condition for allowance and early and favourable notice is earnestly solicited.

Respectfully submitted,

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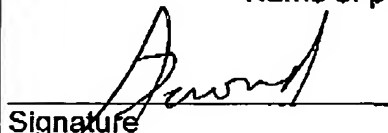
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